

In the
Indiana Supreme Court



ROGER BROWN,)	Supreme Court Cause No.
Appellant,)	12S02-0912-CR-560
)	
v.)	Court of Appeals Cause No.
)	12A02-0901-CR-1
STATE of INDIANA,)	
Appellees.)	Clinton Superior Court Cause No.
)	12D01-0610-FC-149

ORDER VACATING PRIOR ORDER GRANTING TRANSFER

By order dated December 17, 2009, the Court granted a petition seeking transfer of jurisdiction over this appeal from the Court of Appeals to this Court. After further review, including oral argument, the Court has determined that transfer was improvidently granted.

Accordingly, the order granting transfer is VACATED. The Court of Appeals' opinion is no longer vacated under Appellate Rule 58(A) and is REINSTATED. The transfer petition filed by the Appellee is DENIED.

Pursuant to Appellate Rule 58(B), this appeal is at an end. The Clerk is directed to certify this appeal as final and to send copies of the order to the parties or their attorneys. The Clerk is also directed to post this order on the Court's website.

Done at Indianapolis, Indiana, this 26th day of May, 2010.

Brent Dickson
Acting Chief Justice of Indiana

All Justices concur.